

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOEL CIAPPETTA,

For Online Publication Only

Plaintiff,

-against-

ORDER

15-CV-4427 (JMA) (ARL)

BARRY SNYDER, PGD IV LLC and PGT
TRUCKING, INC.,

Defendants.

X

AZRACK, United States District Judge:

On December 19, 2019, Magistrate Judge Arlene R. Lindsay issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s two motions to compel a trial date be denied with leave to refile. To date, Plaintiff has not filed any objections and the deadline for filing any such objections has passed. Having conducted a review of the full record and the applicable law, I adopt Judge Lindsay’s R&R as the opinion of the Court.

In reviewing a magistrate judge’s report and recommendation, the court must “make a de novo determination of those portions of the report or . . . recommendations to which objection[s][are] made.” 28 U.S.C. § 636(b)(1)(C); see also *Brown v. Ebert*, No. 05-CV-5579, 2006 WL 3851152, at *2 (S.D.N.Y. Dec. 29, 2006). The court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1)(C). Those portions of a report and recommendation to which there is no specific reasoned objection are reviewed for clear error. See *Pall Corp. v. Entegris, Inc.*, 249 F.R.D. 48, 51 (E.D.N.Y. 2008).

Having reviewed the R&R for clear error, and finding none, the Court adopts Judge Lindsay’s R&R and denies Plaintiff’s two motions to compel a trial date, with leave to refile.

The Clerk of Court is directed to mail a copy of this order to the *pro se* plaintiff.

SO ORDERED.

Dated: January 8, 2020
Central Islip, New York

/s/ (JMA)
JOAN M. AZRACK
UNITED STATES DISTRICT JUDGE